

## **EXHIBIT II**

# Estate of Rod Mendizza

# VCF Documentation



September 11th  
Victim Compensation Fund

May 7, 2020

JENNIFER MENDIZZA

[REDACTED]

Dear JENNIFER MENDIZZA:

The September 11th Victim Compensation Fund ("VCF") has reviewed your claim for eligibility. You submitted a claim form on behalf of ROD MENDIZZA. Your claim number is VCF0120015.

#### **The Decision on your Claim**

The VCF has determined that the decedent has met the eligibility criteria established in the statute and regulations. Based on the information you submitted and information the VCF has received from the World Trade Center ("WTC") Health Program, the decedent has been found eligible for the following injuries:

- MALIGNANT NEOPLASM OF PROSTATE

Please note that there are several reasons why an injury that you think should be eligible is not listed above. For non-traumatic injuries, the name of the injury is based on the information provided by the WTC Health Program and there may be different names for the same injury. Additionally, your injury may not be listed if it was only recently certified for treatment by the WTC Health Program.

If in the future the WTC Health Program should notify you that a condition previously found eligible is no longer certified, you must inform the VCF as this may affect your eligibility status and/or the amount of your award.

#### **What Happens Next**

**If the decedent was certified for treatment by the WTC Health Program for a condition not listed above**, you should amend your claim. Please see the VCF website for details on how to amend your claim. The VCF will review the new information and determine if it provides the basis for a revised decision.

**If you believe the decedent had eligible injuries not treated by the WTC Health Program** and you would like the VCF to consider those injuries before calculating the amount of any compensation, you should amend your claim. If you choose to amend your claim, you will need to use the VCF Private Physician process. The Private Physician process is a way for the VCF to gather the required information about the decedent's treatment in order to process your claim. All forms are available on the VCF website under "Forms and Resources." The website also includes detailed information and instructions on the Private Physician process.



September 11th  
Victim Compensation Fund

---

**If the decedent did not have injuries other than those listed above,** you should submit the compensation section of your claim form and the required supporting materials if you have not already done so. If you have already submitted this information, you do not need to take any action at this time unless you receive a request from the VCF for missing information. The VCF will calculate the amount of any compensation based on the conditions listed above after all compensation-related documents are submitted.

If you have questions about the information in this letter or the claims process in general, please call our toll-free Helpline at 1-855-885-1555. Please have your claim number ready when you call: **VCF0120015**. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.

Sincerely,

Rupa Bhattacharyya  
Special Master  
September 11th Victim Compensation Fund

cc: WENDELL TONG



September 11th  
Victim Compensation Fund

August 19, 2020

JENNIFER MENDIZZA

[REDACTED]

**Re: CLAIM NUMBER: VCF0120015**

Dear JENNIFER MENDIZZA:

The September 11th Victim Compensation Fund (“VCF”) has reviewed your claim for compensation. Your claim form was determined to be substantially complete on July 31, 2020. This means your claim was deemed “filed” for purposes of section 405(b)(3) of the Statute on that date.

After reviewing the responses in your claim form, the documents you submitted in support of your claim, and information from third-party entities, the VCF has calculated the amount of your award as [REDACTED]. This determination is in accordance with the requirements of the Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act (“VCF Permanent Authorization Act”). The enclosed “Award Detail” includes a detailed explanation of the calculation and a list of the eligible conditions that were considered when calculating your award.

Your award does not include reimbursement for replacement services since there was no survivor spouse nor were there minor dependents or dependent adults in the household at the time of your father’s death. Your award does not include burial expenses because you informed the VCF that you are not seeking any reimbursement for these expenses.

No non-routine legal service expenses are approved for reimbursement for this claim.

As the Personal Representative, you are required to distribute any payment received from the VCF on behalf of the victim to the eligible survivors or other recipients in accordance with the applicable state law or any applicable ruling made by a court of competent jurisdiction or as provided by the Special Master.

**What Happens Next**

The VCF will deem this award to be final and will begin processing the full payment on your claim unless you complete and return the enclosed Compensation Appeal Request Form within **30 days from the date of this letter** as explained below. If you do not appeal, the Special Master will authorize the payment on your claim within 20 days of the end of the 30-day appeal period. Once the Special Master has authorized the payment, it may take up to three weeks for the United States Treasury to disburse the money into the bank account designated on the VCF ACH Payment Information Form or other payment authorization document you submitted to the VCF.



September 11th  
Victim Compensation Fund

- **Appealing the Award:** You may request a hearing before the Special Master or her designee if you believe the amount of your award was erroneously calculated, or if you believe you can demonstrate extraordinary circumstances indicating that the calculation does not adequately address your loss. **If you choose to appeal, your payment will not be processed until your hearing has been held and a decision has been rendered on your appeal.**

To appeal the award, you must complete two steps by the required deadlines:

1. Complete and return the enclosed **Compensation Appeal Request Form** within **30 days from the date of this letter**. Follow the instructions on the form and upload it to your claim or mail it to the VCF by the required deadline. If you do not submit your completed Compensation Appeal Request Form within 30 days of the date of this letter, *you will have waived your right to an appeal* and the VCF will begin processing any payment due on your claim.
2. Complete and submit your **Compensation Appeal Package** (Pre-Hearing Questionnaire, Compensation Explanation of Appeal, and all applicable supporting documents) no later than **60 days from the date of this letter**. It is important that you carefully review the information enclosed with this letter and follow the instructions if you intend to appeal your award. Additional instructions on the appeals process can be found on the VCF website under "Frequently Asked Questions" and in the Policies and Procedures available under "Forms and Resources."

Once your complete Compensation Appeal Package is submitted, the VCF will review the information to confirm you have a valid appeal, and will notify you of the next steps specific to your appeal and the scheduling of your hearing.

- **Notifying the VCF of new Collateral Source Payments:** You must inform the VCF of any new collateral source payments you receive, or become entitled to receive, such as a change to your disability or survivor benefits, as this may change the amount of your award. If you notify the VCF within 90 days of learning of the new collateral source payment, your award will not be adjusted to reflect the new entitlement or payment. If you notify the VCF more than 90 days after learning of the new or revised entitlement or payment, the VCF may adjust your award to reflect the new payment as an offset, which may result in a lower award. If you need to notify the VCF of a new collateral source payment, please complete the "Collateral Offset Update Form" found under "Forms and Resources" on the [www.vcf.gov](http://www.vcf.gov) website.

Your award was calculated using our published regulations, and I believe it is fair and reasonable under the requirements of the VCF Permanent Authorization Act. As always, I emphasize that no amount of money can alleviate the losses suffered on September 11, 2001.

If you have any questions, please call our toll-free Helpline at 1-855-885-1555. Please have your claim number ready when you call: **VCF0120015**. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.



September 11th  
Victim Compensation Fund

---

Sincerely,

Rupa Bhattacharyya  
Special Master  
September 11th Victim Compensation Fund

cc: WENDELL TONG



September 11th  
Victim Compensation Fund

## Award Detail

Claim Number: VCF0120015  
Decedent Name: ROD MENDIZZA

<b>PERSONAL INJURY CLAIM (Losses up to Date of Death)</b>	
<b>Lost Earnings and Benefits</b>	
Loss of Earnings including Benefits and Pension	\$0.00
Mitigating or Residual Earnings	\$0.00
<b>Total Lost Earnings and Benefits</b>	<b>\$0.00</b>
<b>Offsets Applicable to Lost Earnings and Benefits</b>	
Disability Pension	\$0.00
Social Security Disability Benefits	\$0.00
Workers Compensation Disability Benefits	\$0.00
Disability Insurance	\$0.00
Other Offsets related to Earnings	\$0.00
<b>Total Offsets Applicable to Lost Earnings</b>	<b>\$0.00</b>
<b>Total Lost Earnings and Benefits Awarded</b>	<b>\$0.00</b>
<b>Other Economic Losses</b>	
Medical Expense Loss	\$0.00
Replacement Services	\$0.00
<b>Total Other Economic Losses</b>	<b>\$0.00</b>
<b>Total Economic Loss</b>	<b>\$0.00</b>
<b>Total Non-Economic Loss</b>	
<b>Subtotal Award for Personal Injury Claim</b>	



September 11th  
Victim Compensation Fund

<b>DECEASED CLAIM (Losses from Date of Death)</b>	
<b>Loss of Earnings including Benefits and Pension</b>	
Offsets Applicable to Lost Earnings and Benefits	
Survivor Pension	
SSA Survivor Benefits	
Worker's Compensation Death Benefits	
Other Offsets related to Earnings	
<b>Total Offsets Applicable to Loss of Earnings and Benefits</b>	
<b>Total Lost Earnings and Benefits Awarded</b>	<b>\$0.00</b>
<b>Other Economic Losses</b>	
Replacement Services	\$0.00
Burial Costs	\$0.00
<b>Total Other Economic Losses</b>	
<b>Total Economic Loss</b>	
<b>Non-Economic Loss</b>	
Non-Economic Loss - Decedent	
Non-Economic Loss - Spouse/Dependent(s)	\$0.00
<b>Total Non-Economic Loss</b>	
<b>Additional Offsets</b>	
Social Security Death Benefits	\$0.00
Life Insurance	
Other Offsets	
<b>Total Additional Offsets</b>	
<b>Subtotal Award for Deceased Claim</b>	



September 11th  
Victim Compensation Fund

<b>Subtotal of Personal Injury and Deceased Claims</b>	
PSOB Offset	\$0.00
Prior Lawsuit Settlement Offset	\$0.00
Award Paid on Prior Personal Injury Claim	
<b>TOTAL AWARD</b>	

<b>Factors Underlying Economic Loss Calculation</b>	
Annual Earnings Basis (without benefits)	
Percentage of Disability attributed to Eligible Conditions - applicable to Personal Injury losses	
Start Date of Loss of Earnings Due to Disability - applicable to Personal Injury losses	

<b>Eligible Conditions Considered in Award</b>	
Malignant Neoplasm of Prostate	

# Family Member Affidavits

Amy Frances Gregorio

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

----- X  
RAYMOND ALEXANDER, et al.,

**AFFIDAVIT OF  
AMY FRANCES GREGORIO**

Plaintiffs,

21-CV-03505 (GBD)(SN)

V.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

----- X

STATE OF NEW JERSEY )  
: SS  
COUNTY OF MONMOUTH )

AMY FRANCES GREGORIO, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at  
[REDACTED]

2. I am currently 39 years old, having been born on [REDACTED]

3. I am the daughter of Decedent, Rod Mendizza, upon whose death my claim is based, and submit this Affidavit in connection with the present motion for a default judgment and in support of my solatium claim.

4. My father passed away from metastatic prostate cancer on November 1, 2018, at the age of 62. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001 terrorist attacks at the World Trade Center.

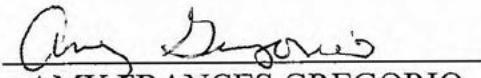
5. My father, Rod Mendizza, was a New York City firefighter for 20 years. My dad was always my voice of reason, I could talk to him about anything. He was my phone call I made every day on my way home from work, the person that always made me feel that everything would be okay. Some activities that we loved to do together were fishing and crabbing. I will always reminisce about these good times. We had a loving, selfless, care giver for a dad, who always made me feel safe. My dad made a huge impact on my life.

6. My father was working on a construction job in Pennsylvania on 9/11. He retired from the FDNY on November 1, 2000. As soon as he heard what was happening, he drove to Manhattan. For the next two days, he volunteered, and helped dig the deceased bodies from the rubble. He said it was so horrific after the two days helping his fellow firefighters that he could not bear to go back. Those days always stuck with him, and he could not erase what he saw there.

7. My father was diagnosed with prostate, bone, and liver cancer in September of 2017. It started with prostate and metastasized to bone and liver. Upon diagnosis, he was given 12-18 months to live. He passed away on November 1, 2018, 14 months after being diagnosed. He endured tremendous physical and mental anguish. He physically couldn't walk more than five feet. He lost so much weight, and my once strong big-framed dad was now skin and bones. He had no energy, and it was a chore just to shower. He had zero quality of life. My father was sick every day from chemo and was mentally tortured because he knew that he was dying, and he was not ready to die at only 62 years old. He was leaving behind 3 daughters ages 37, 35, and 32, and 3 grandchildren ages 5, 3, and 2.

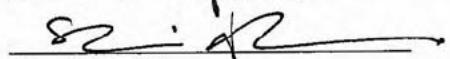
8. My father's death has affected myself and my family in so many ways. He missed out on family vacations, graduations, birthdays, baseball games, dance recitals, and everything else

he should have been here to share with us. He was taken too soon, and we all miss him so much. Watching him suffer physically with cancer as well as all the mental pain he suffered, was heartbreaking. To watch someone I loved deteriorate before my eyes was traumatic. Visions of my dad in the hospital bed looking nothing like the dad that I knew are burned in my brain and still haunt me. My life will never be the same without him. My children, who were three and two, will never know the love they could have had from their grandfather. So much was taken from us because of my father's death and because of the 9/11 attacks.

  
\_\_\_\_\_  
AMY FRANCES GREGORIO

Sworn before me this

13 day of September, 2023

  
\_\_\_\_\_  
Notary public

Shimon Nachum  
Notary Public  
State of New Jersey  
ID#50098996

My Commission Expires Feb. 13 2024



Jennifer Lynn Mendizza

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

----- X  
RAYMOND ALEXANDER, et al.,

**AFFIDAVIT OF  
JENNIFER LYNN MENDIZZA**

Plaintiffs,

21-CV-03505 (GBD)(SN)

V.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

----- X

STATE OF NEW YORK )  
: SS  
COUNTY OF RICHMOND )

JENNIFER LYNN MENDIZZA, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at

2. I am currently 42 years old, having been born on [REDACTED]

3. I am the daughter of Decedent, Rod Mendizza, upon whose death my claims are based. I submit this Affidavit in support of the present motion for default money judgment for the claim made on behalf of my father's estate and for my solatium claim. On January 23, 2019, I was issued Letters of Authority as Personal Representative of my father's estate by the Norfolk Probate and Family Court.

4. My father passed away from metastatic prostate cancer on November 1, 2018, at the age of 62. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks at the World Trade Center.

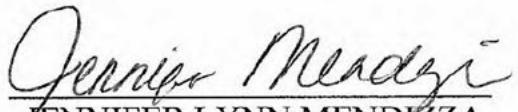
5. My father was a New York City firefighter. We loved going antique shopping and going to yard sales together. My father could re-create anything, he was so talented. My father was a very loving person. Anything we ever needed or wanted, emotionally, mentally, financially, he was there for us on so many levels. He had that personality that would light up any room. He would call me and my son daily, no matter what, and we would show our saltwater fish tank to him while we were on facetime together, as I learned the love from him. There wasn't any topic he didn't know a little bit about. My father was a beautiful soul that we all miss.

6. My father was a New York City firefighter. I was working at Woodrow Diner in Staten Island at the time, and I remember him telling me over the phone, "I'm heading there now", referring to the World Trade Center. That was the last I heard from him on that day. My father was retired from the FDNY at the time of 9/11 and was working in Pennsylvania at the time of the attacks. He retired from the FDNY on November 1, 2000, and he drove all the way from Pennsylvania to Manhattan to volunteer to help with the search and rescue efforts. He would dig up remains and bodies of victims and did that for several days following the September 11<sup>th</sup> attacks.

7. My father was suffering, he kept on a strong face through his illness, treatments, and weakness. It was debilitating to witness such a strong man lose all his loves in life and at the same time, lose the ability to do things such as his hobbies, working on projects, going on the boat, etc.

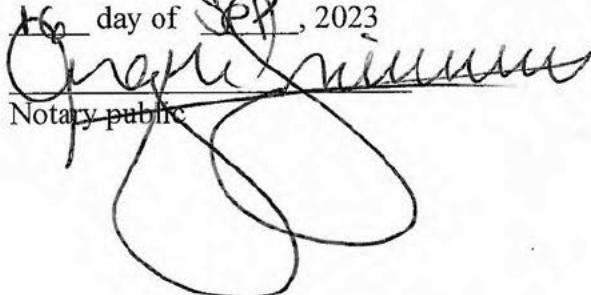
8. After you lose a parent, your life changes and it will never be the same. I try to keep memories alive, try to talk about him, try to laugh about him, but having that person removed from your life that was always there no matter what, was life changing. It was life changing, not

just for me, but life changing for my son as well. My son and my father were extremely close to one another.

  
JENNIFER LYNN MENDIZZA

Sworn before me this

16 day of SEP, 2023

  
Notary public

ANGELA M SPECIALE  
NOTARY PUBLIC, STATE OF NEW YORK  
01SP6390180  
QUALIFIED IN RICHMOND COUNTY  
COMMISSION EXPIRES APRIL 8, 2027

Lauren Marie Mendizza

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

----- X  
RAYMOND ALEXANDER, et al.,

**AFFIDAVIT OF  
LAUREN MARIE MENDIZZA**

Plaintiffs,

21-CV-03505 (GBD)(SN)

V.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

----- X

STATE OF NEW YORK )  
: SS  
COUNTY OF RICHMOND )

LAUREN MARIE MENDIZZA, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at [REDACTED]

2. I am currently 37 years old, having been born on [REDACTED]

3. I am the daughter of Decedent, Rod Mendizza, upon whose death my claim is based, and submit this Affidavit in connection with the present motion for a default judgment and in support of my solatium claim.

4. My father passed away from metastatic prostate cancer on November 1, 2018, at the age of 62. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks at the World Trade Center.

5. My father was a firefighter with the most soft and caring heart. I would always do wood craft projects with my father; we always did different projects with each other. Every night we would discuss food recipes that we wanted to cook, and then we would cook the food using the recipes.

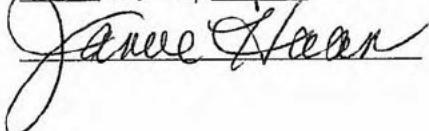
6. On the day of the attacks, my father was a volunteer at the World Trade Center, for he was retired for 10 months at that time. He went down to the World Trade Center to help save people during the search and recovery efforts, as well as recover the bodies of missing individuals. My father was retired from the FDNY at the time of 9/11 and was working in Pennsylvania at the time of the attacks. He retired from the FDNY on November 1, 2000, and he drove all the way from Pennsylvania to Manhattan to volunteer to help with the search and rescue efforts. He would dig up remains and bodies of victims and did that for several days following the attacks.

7. My father was diagnosed with prostate cancer and had to receive transfusions as well as radiation therapy. He lost his eye lashes and could hardly walk for two minutes. My father had a very poor quality of life because of his illness. He was always weak and tired.

8. Losing my father had a huge impact on me. I lost my diary, the one man I could tell anything to. My father was my twin. We had the same personality as each other, and we were extremely close to one another.

  
\_\_\_\_\_  
LAUREN MARIE MENDIZZA

Sworn before me this

15 day of Sept, 2023  


JANICE HAAN  
Notary Public, State of New York  
No. 01HA5063972  
Qualified in Richmond County  
Commission Expires August 5th, 2026